



# BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor  
Mount Clemens, Michigan 48043  
586-469-5125 FAX 586-469-5993  
macombcountymi.gov/boardofcommissioners

## PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

TUESDAY, APRIL 8, 2008

### AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda
4. Public Participation
5. Adopt Resolution Declaring Intention to Issue Revenue Bonds, to Proceed with a Project Under the Economic Development Corporations Act, to Reimburse Expenditures from Bonds to be Issued by the Economic Development Corporation and to Appoint Bond Counsel (Americhip International, Inc. - Macomb) **and** Adopt Resolution Designating Project Area and Project District Area and Requesting Appointment of Additional Directors (Americhip International, Inc. - Macomb) (mailed)
6. Receive and File Presentation from Robbie Stark, General Manager, Partridge Creek Shopping Center (mailed)
7. Receive and File Executive Director's Report (mailed)
8. New Business
9. Public Participation
10. Adjournment

**MEMBERS:** Vosburg-Chair, Mijac-Vice Chair, Camphous-Peterson, DeSaele, Duzyj, DiMaria, Drolet, Brdak, Rengert, Brown, Haggerty, Roberts, Gielegthem and Crouchman (ex-officio)

### MACOMB COUNTY BOARD OF COMMISSIONERS

William A. Crouchman  
District 23  
Chairman

Dana Camphous-Peterson  
District 18  
Vice-Chair

Leonard Haggerty  
District 21  
Sergeant-At-Arms

Andrey Duzyj - District 1  
Marvin E. Sauger - District 2  
Phillip A. DiMaria - District 3  
Jon M. Switalski - District 4  
Susan L. Doherty - District 5

Joan Flynn - District 6  
Sue Rocca - District 7  
David Flynn - District 8  
Robert Mijac - District 9  
Philis DeSaele - District 10

Ed Szczepanski - District 11  
Peter J. Lund - District 12  
Don Brown - District 13  
Brian Brdak - District 14  
Keith Rengert - District 15

Carey Torrice - District 16  
Ed Bruley - District 17  
Paul Gielegthem - District 19  
Kathy Tocco - District 20

Betty Slinde - District 22  
Sarah Roberts - District 24  
Kathy D. Vosburg - District 25  
Leon Drolet - District 26



# PLANNING & ECONOMIC DEVELOPMENT

1 S. Main St., 7th Floor  
Mount Clemens, Michigan 48043  
586-469-5285 Fax 586-469-6787  
[www.macombcountymi.gov/planning](http://www.macombcountymi.gov/planning)

Stephen N. Cassin, AICP  
Executive Director

Donald Morandini  
Deputy Director

April 8, 2008

## PLANNING COMMISSION


Ann E. Klein  
Chairman

Dan G. Dirks  
Vice-Chairman

Bernard B. Calka  
Secretary

Louis J. Burdi  
Elmer J. Kuss  
Dominic LaRosa  
Deborah S. Obrecht  
Bill Peterson  
Betty M. Slinde

TO: Kathy Vosburg, Chair  
Members of PED Committee

FROM: Stephen N. Cassin, Executive Director   
Department of Planning & Economic Development

RE: AmeriChip, International, Inc. EDC Project

AmeriChip International, Inc., a Clinton Township precision machining company, is undertaking an expansion of their operations. They will be purchasing new machinery and equipment, an investment of approximately \$4 million.

To assist AmeriChip in the financing of the project, the Macomb County Economic Development Corporation is in the process of approving the issuance of a tax-free Industrial Development Revenue Bond. IDRBs are a financing mechanism with IRS-conferred special status that allows for qualifying manufacturers to secure capital for fixed assets at an especially low interest rate.

The approvals, by resolution, that are being requested of the Macomb County Board of Commissioners by the EDC are necessary components of the IDRB process.

## MACOMB COUNTY BOARD OF COMMISSIONERS

William A. Crouchman District 23 Chairman	Dana Camphous-Peterson District 18 Vice Chair	Leonard Haggerty District 21 Sergeant-at-Arms
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Andrey Duzyj - District 1	Joan Flynn - District 6	Ed Szczepanski - District 11
Marvin E. Sauger - District 2	Sue Rocca - District 7	Peter J. Lund - District 12
Phillip A. DiMaria - District 3	David Flynn - District 8	Don Brown - District 13
Jon M. Switalski - District 4	Robert Mijac - District 9	Brian Brdak - District 14
Susan L. Doherty - District 5	Philis DeSaele - District 10	Keith Rengert - District 15

Carey Torrice - District 16	Betty Slinde - District 22
Ed Bruley - District 17	Sarah Roberts - District 24
Paul Gielegem - District 19	Kathy D. Vosburg - District 25
Kathy Tocco - District 20	Leon Drolet - District 26

ECONOMIC DEVELOPMENT CORPORATION  
OF THE COUNTY OF MACOMB  
Macomb County, Michigan

RESOLUTION DECLARING INTENTION  
TO ISSUE REVENUE BONDS, TO  
PROCEED WITH A PROJECT UNDER THE  
ECONOMIC DEVELOPMENT CORPORATIONS ACT, TO REIMBURSE  
EXPENDITURES FROM BONDS TO BE ISSUED BY  
THE ECONOMIC DEVELOPMENT CORPORATION  
AND TO APPOINT BOND COUNSEL

(Americhip International, Inc. - Macomb)

At a \_\_\_\_\_ meeting of the Board of Directors of the Economic Development Corporation of the County of Macomb, Michigan, held in Mt. Clemens, Michigan, on the \_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_:\_\_\_\_ a.m., Eastern Standard Time, pursuant to notice duly given:

PRESENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, there exists in the County of Macomb a need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises, and to encourage the location and expansion of such enterprises in order to strengthen and revitalize the County's economy and to provide needed services and facilities to the County and its residents; and

WHEREAS, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), provides a means for the encouragement and assistance of industrial and commercial enterprises in locating, purchasing, constructing, reconstructing, modernizing, improving, maintaining, repairing, furnishing, equipping and expanding in the County; and

WHEREAS, Americhip International, Inc., a Michigan corporation (the "Company") has requested the assistance of the Economic Development Corporation of the County of Macomb (the "EDC") in connection with the Company's proposal to construct, equip, and furnish a manufacturing facility in the County of Macomb to be developed as a commercial enterprise (the

"Project") designed for and capable of providing needed services and facilities to the residents of the County; and

WHEREAS, the Company has advised the EDC that the costs of the Project, including construction, equipment, furniture, architectural, administrative, legal, and financial costs, are estimated not to exceed \$4,000,000 and the acquisition and construction of the Project will create job opportunities for the residents of the County and will aid in the general economic welfare of the County and the State of Michigan; and

WHEREAS, the EDC is authorized by the Act to issue revenue bonds or revenue notes to finance the costs of the Project by making a loan to the Company; and

WHEREAS, the issuance of revenue bonds by the EDC would assist the Company and induce it to establish, modernize, improve, reconstruct and/or expand its business within the County of Macomb; and

WHEREAS, all administrative, legal, financial, or other costs incurred by the EDC are includable in the costs of the Project, and the Company has assured the EDC that the Company will reimburse the EDC for all of said costs, as incurred; and

WHEREAS, the Board deems it desirable, reasonable and necessary to commence the appropriate proceedings in order to assist the Project;

WHEREAS, the EDC proposes to undertake the Project referenced below, to issue debt for such Project and to use a portion of the proceeds of such debt to reimburse expenditures made for the Project prior to the issuance of the debt;

WHEREAS, United States Income Tax Regulations section 1.150-2 provides generally that proceeds of tax-exempt debt are not deemed to be expended when such proceeds are used for reimbursement of expenditures made prior to the date of issuance of such debt unless certain procedures are followed, one of which is a requirement that (with certain exceptions), prior to the payment of any such expenditure, the issuer declares an intention to reimburse such expenditure; and

WHEREAS, the EDC or the Company may make certain expenditures for said Project prior to issuance of the Reimbursement Obligations and may wish to use the proceeds of the Reimbursement Obligations to reimburse all or a portion of said expenditures.

NOW, THEREFORE, it is hereby RESOLVED, as follows:

1. The EDC intends to issue revenue bonds or revenue notes in a maximum principal amount not to exceed \$4,000,000

(the "Obligations") for the purpose of making loans to the Company which will be used to pay the costs of the Project.

2. The EDC hereby declares that it reasonably expects:

(i) that certain costs of the Project will be paid prior to the date of issuance of the Obligations; and

(ii) that a portion of the proceeds of the Obligations will be used for reimbursement of expenditures or the Project that are paid before issuance of the Obligations.

3. Within not more than thirty (30) days following the date of adoption of this Resolution, the Secretary of the EDC is directed to make this Resolution available to the public at the customary location of public records of the EDC. The Secretary is hereby further directed to assure such public availability until the date of issuance of the Obligations.

4. That the proceedings and agreements relating to the EDC's involvement with the Project and issuance of the Obligations shall contain such provisions and details as shall absolutely and unequivocally make certain that under no circumstances will the EDC, the County of Macomb, the State of Michigan, or any of their taxpayers or citizens, ever be required to pay the principal of and interest on, or any costs relating to, the Obligations from tax revenues or other funds of such governmental units, and shall, in addition, contain provisions fully protecting the EDC, the County of Macomb, and the State of Michigan against any other liability and all costs relating to the Obligations of the Project.

5. That by adoption of this resolution, the EDC and the County of Macomb assume no obligation or liability to the Company for any loss or damage that may result to the Company from the adoption of this resolution, from costs and expenses in connection with the construction of the Project, and from costs of the issuance of the Obligations. Any and all costs relating to the acquisition, financing, ownership, or operation of the Project shall be paid from the proceeds of sale of the Obligations or by the Company.

6. That each Obligation, when, as, and if issued in connection with the Project, shall clearly recite in substance that the principal of, interest, and premium, if any, on such bond is payable solely from the revenues received from the Project, and the property, which constitutes the Project, may be pledged or mortgaged as security for the payment thereof.

7. That the firm of Axe and Ecklund, P.C., Grosse Pointe Farms, Michigan, be hereby designated and retained by the EDC as bond counsel with respect to the Obligations to be issued in connection with the Project, and be authorized and directed to

prepare and submit to all appropriate parties all proceedings, agreements, and other documents as shall be necessary or appropriate in connection with the issuance of such Obligations, to make application on behalf of the EDC to the United States Internal Revenue Service and other governmental agencies for such income tax and other rulings and approvals as may be necessary in relation to the issuance of such Obligations, and the Chairperson and Secretary of this EDC are authorized to execute such powers of attorney and other documents as may be appropriate in connection with the foregoing. The legal fees of bond counsel for work done in connection with the Project shall be paid by the Company or ultimately from the proceeds of sale of such Obligations but in no event shall be a cost to the EDC.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and they are hereby rescinded.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN) )  
 ) SS.  
COUNTY OF MACOMB )

I, \_\_\_\_\_, the duly qualified and acting Secretary of the Economic Development Corporation of the County of Macomb, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Directors of said Corporation at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2008, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Michigan Public Acts of 1978, as amended.

Corporate Secretary

Dated: \_\_\_\_\_

Dmh/r-MAC80

ECONOMIC DEVELOPMENT CORPORATION  
OF THE COUNTY OF MACOMB  
MACOMB COUNTY, MICHIGAN

RESOLUTION DESIGNATING PROJECT AREA  
AND PROJECT DISTRICT AREA  
AND REQUESTING APPOINTMENT OF  
ADDITIONAL DIRECTORS

(Americhip International, Inc. - Macomb)

At a \_\_\_\_\_ meeting of the Board of Directors of the Economic Development Corporation of the County of Macomb, Michigan, held in Mount Clemens, Michigan, on the \_\_\_\_ day of \_\_\_\_\_, 2008, at 8:00 a.m., Eastern Standard Time, pursuant to notice duly given.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, there exists in the State of Michigan and in the County of Macomb the continuing need for projects to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises, to strengthen and revitalize the economy, and to encourage the location and expansion of industrial and commercial enterprises to more conveniently provide needed services and facilities to the State and to this County; and

WHEREAS, the Economic Development Corporation Act, Act No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") provides a means for the encouragement of such projects in this County by this Economic Development Corporation ("EDC") through the issuance of its revenue bonds or notes for the benefit of such projects; and

WHEREAS, this EDC has commenced proceedings under the Act by adoption of a Resolution of Inducement for the benefit of the Americhip International, Inc. Project (the "Project") and desires to continue such proceedings as hereinafter provided;

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:



1. In accordance with Section 8(1) of the Act, the EDC hereby designates a Project Area as set forth in "Exhibit A" attached hereto.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project because the surrounding territory is devoted to commercial/industrial uses and, therefore, this EDC recommends to the Board of Commissioners of the County of Macomb that it designate a Project District Area having the same description as and boundaries coterminous with the Project Area herein designated (See Exhibit A).

3. The EDC commence preparation of a Project Plan, as defined in the Act.

4. The Secretary of the EDC be instructed to communicate the Project Area, as herein designated, to the Board of Commissioners of the County of Macomb, by delivering to each of them a certified copy of this resolution.

5. The Secretary be further instructed to direct a request to the Board of Commissioners of the County of Macomb to certify its approval of the designation of said Project Area and to designate the Project District Area as recommended, without the formation of a Project Citizens District Council as further recommended, all in accordance with the requirements of Section 8(1) and 12(1) of the Act.

6. Pursuant to Section 4(2) of the Act, the Secretary of this EDC be further directed to deliver a copy of this resolution to the Board of Commissioners of the County of Macomb with the request that the Macomb County Board Chairperson promptly appoint two (2) additional directors to this EDC in accordance with the requirements of Section 4(2) of the Act, all upon the conditions that such two (2) additional directors be representative of neighborhood residents and business interests likely to be affected by the Project, located in the Charter Township of Clinton, be authorized to serve and to vote only on issues that directly affect the subject Project, and be authorized to serve only until the earlier of the time the Project is completed in accordance with its Project Plan or the Project is abandoned by the EDC.

7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and they are hereby rescinded.

YEAS:

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NAYS:

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ABSENT:

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ABSTENTIONS:

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RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF MACOMB )

I, \_\_\_\_\_, the duly qualified and acting Secretary of Economic Development Corporation of the County of Macomb, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Directors of said Corporation at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2008, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Michigan Public Acts of 1976, as amended.

\_\_\_\_\_  
Corporation Secretary

Dated: \_\_\_\_\_

Dmh/r-MAC80

**EXHIBIT A**

**LEGAL DESCRIPTION**

In the Charter Township of Clinton:

PROPERTY NUMBER: 16-11-01-276-024  
PROPERTY ADDRESS: 24700 CAPITAL

EAST POINTE INDUSTRIAL SUB L.92 P. 47-50 ALL OF LOT 10 & EAST 40 FT OF LOT 11, ALSO PART OF LOT 9 OF AMENDED PLAT OF LOT 9 OF EAST POINTE INDUSTRIAL SUB L.157 P.16-17 DESC AS: BEG AT SW COR SD LOT 9; TH S89°29'39"E 12.00 FT; TH N07°19'16"E 390.87 FT; TH N09°36'49"W 41.17 FT TO NW COR LOT 9; TH SLY ALG E LINE OF LOT 9 TO POB

Dmh/r-MAC80

# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_ FULL BOARD MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

**MACOMB COUNTY, MICHIGAN**

**RESOLUTION TO:** Receive and File the Presentation from Robbie Stark, General Manager,  
Partridge Creek Shopping Center

**INTRODUCED BY:** Kathy Vosburg, Chair, Planning and Economic Development Committee

**DESCRIPTION:**

**COMMITTEE/MEETING DATE**

PED 4-8-08

\_\_\_\_\_  
\_\_\_\_\_

# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_ FULL BOARD MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

**MACOMB COUNTY, MICHIGAN**

**RESOLUTION TO:** Receive and File Report from the Executive Director, Department of Planning and Economic Development, on departmental activities

**INTRODUCED BY:** Kathy Vosburg, Chair, Planning and Economic Development Committee

**DESCRIPTION:**

**COMMITTEE/MEETING DATE**

PED 4-8-08

\_\_\_\_\_  
\_\_\_\_\_